IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Crl.MC.No. 1299 of 2007()

AGAINST THE ORDER IN LP 11/1992 IN CC.329/1991 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II,PATHANAMTHITTA

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PETITIONER: 1ST ACCUSED:

JOSE THOMAS, S/O. THOMAS,
MULLANKATTIL VEETTIL, EATTICHUVADU,ANGADI, RANNY.

BY ADV. SRI.S.SANTOSH KUMAR (PERUNAD)

RESPONDENTS:

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA

BY ADV. SRI. BENJAMINE PAUL, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. M.C NO. 1299 OF 2007

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Dated this the 27th day of April 2007

O R D E R

The petitioner, who is the accused in C.C No. 329/91/L.P. No.11/92 in the file of Judicial First Class Magistrate's Court -II, Pathanamthitta with respect to the offences under Sectios 341, 323, 324, 114 r/w Section 34 of IPC, has sought for a direction to the court below that there may not be an order of pre-trial detention at the time of his appearance. The rest of the accused stands acquitted. The petitioner was working abroad.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioner itself.

The Crl. M.C is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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